

### REMARKS

The Office Action has been carefully considered. In the Office Action, claims 1-10, 14-33, 35-41, 46-52, and 59-68 were rejected under 35 U.S.C. § 102(e) as being anticipated by Straub et al, U.S. Patent No. (hereinafter "Straub"). Claims 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Straub in view of Ojala, U.S. Patent No. 6,222,638 (hereinafter "Ojala"). Claim 34 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Straub in view of Official Notice taken by the Examiner. Claims 42-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Straub in view of Hirose, U.S. Patent No. 5,745,112 (hereinafter "Hirose"). Claim 56 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Slivka et al, U.S. Patent No. 6,061,695 (hereinafter "Slivka") in view of Dickman et al., U.S. Patent No. 5,877,765 (hereinafter "Dickman"). In addition, the Abstract was rejected for being longer than 150 words in length. By the present amendment, claim 51 has been canceled as being redundant (and not in view of the prior art), claims 1, 18, 29, 47, and 68 have been amended, the abstract has been amended, and the rejections traversed in view of the following remarks. Reconsideration is respectfully requested.

Before addressing the rejections on the art, applicants note that the abstract was objected to as being more than 150 words in length. The abstract has been amended to be less than 150 words. Reconsideration is respectfully requested.

Turning to the rejections on the art, the present invention is generally directed towards a shell user interface that provides for an aggregation of local and web information on a personal computer. The shell user interface includes multiple pages that are interconnected through hyperlinks. The pages are arranged in a hierarchical manner and

form a single unified manner for accessing programs, documents, system information, and devices regardless of source location (whether local or remote). The shell user interface provides one place from which a user may access resources, without opening separate programs and menus to locate the resources.

This shell user interface simplifies locating resources. For example, rather than clicking on file exploring software, such as Microsoft® Internet Explorer, to locate local files and Internet content, along with a system toolbar to access system resources and external devices, a user can use the shell user interface of the present invention to locate the files, content and resources.

Note that the above description is for informational purposes only, and should not be used to interpret the claims, which are discussed below.

Claims 1-10, 14-33, 35-41, 46-52, and 59-68 were rejected under 35 U.S.C. § 102(e) as being anticipated by Straub et al, U.S. Patent No. (hereinafter "Straub"). In contrast to the present invention, Straub is generally directed towards a method for updating themes for an operating system, e.g., by periodically retrieving updating resources from a remote computer at which the updating resources are stored by a theme provider, so as to provide continually updating enhancements to the graphical user interface display consistent with the theme's topic. Significantly, Straub fails to teach, suggest or provide any motivation for a shell user interface having multiple pages hierarchically arranged and interconnected through hyperlinks. Further, Straub fails to teach, suggest, or provide any motivation for placing links to tasks of an application program in a shell user interface.

Claim 1 general recites maintaining information about executable code, providing a shell user interface having a plurality of pages, wherein the pages are arranged in a

hierarchy, and wherein each page that is lower in the hierarchy is reachable through at least one other page that is higher in the hierarchy through at least a hyperlink, displaying a link on a page in the shell user interface, receiving a selection of the link, and taking an action with respect to the executable code. Notwithstanding, the Office Action cited column 4, lines 1-2 to allege that Straub discloses “a shell user interface having a plurality of pages.” See Office Action, p. 3.

However, while the cited text of Straub mention the word “pages,” the pages are not pages of a “shell user interface” as recited in claim 1. Furthermore, the “pages” of Straub are not arranged hierarchically, as also recited in claim 1. Certainly, the “pages” of Straub are not arranged such that each page that is lower in the hierarchy is reachable through a hyperlink on at least one other page that is higher in the hierarchy.

Moreover, one of skill in the art would not be motivated to modify Straub, which deals with applying a theme to an already-existing user interface, to reach the subject matter of claim 1. Straub is silent as to anything remotely resembling modifying the already-existing user interface into a shell user interface having hierarchically arranged pages.

In order to support an anticipation rejection, the Office Action must show that each and every element of the claimed invention is disclosed in a single reference, and that each element is arranged as in the claim. Straub does not teach or even suggest a shell user interface having a plurality of hierarchically arranged pages, let alone providing hyperlinks between the pages. For at least the forgoing reasons, Straub fails to meet these requirements, and thus applicants submit that claim 1 and its dependent claim are clearly patentable over Straub as a matter of law. Reconsideration and withdrawal of the rejections of claim 1 and its dependent claims based on Straub are respectfully requested.

Claim 18, like claim 1, also recites a hierarchy of pages. Applicants thus submit that claim 18 is also patentable over Straub, for at least the reasons to those set forth above with reference to claim 1. Reconsideration and withdrawal of the rejections of claim 18 and its dependent claims based on Straub are respectfully requested.

Furthermore, the Office Action indicated that claim 18 was similar in scope to claim 15. Applicants submit that each claim stands on its own, and disagrees with the broad contention that claim 18 is similar in scope to claim 15, as among other things, there is no clear explanation provided as to what is meant by "similar" in the Office action. Applicants respectfully submit that each claim should be interpreted based on its own claim language and limitations.

Claims 29 and 68 have likewise been amended to reflect a hierarchy of pages. Applicants respectfully submit that claims 29 and 68 are also patentable over Straub, for at least the reasons set discussed above with respect to claim 1. Applicants further disagree that claims 1 and 68 are similar, and respectfully submit that each claim should be interpreted based on its own claim language and limitations.

The Office Action also rejected claim 21 by alleging that the limitations of claim 21 are similar to claim 14. The Office Action cited Straub, column 5, lines 43-44 and column 12, line 5 in rejecting claim 14. Applicants disagree that claim 21 is similar in scope to claim 14. For example, claim 21 generally recites displaying a link on a page, wherein the link is associated with a task available to an application program, and in response to a selection of the link, taking an action with respect to the task.

The text cited by the Office Action in rejecting claim 14 (and hence claim 21) simply does not disclose or suggest the subject matter of claim 21. More particularly, the

cited text neither discloses nor suggests anything regarding displaying, on a first page, a link that is associated with a task available in the application program. Applicants generally note that this aspect of applicants' invention provides a mechanism to access tasks of an application program from a user interface, external to the application program. In other words, rather than linking to a document that is then passed to an application program for opening, a link can be created that causes an application to execute, for example, a search dialog or editing dialog—both tasks that may be available in a application—and place this link on a user interface external to the application program. This allows the task to be directly accessed without manually traversing a menu tree of an application program. This aspect of applicants' invention is not remotely hinted at or suggested by Straub or any of the cited references. At least for the reasons above, claim 21 is clearly patentable over Straub. Reconsideration and withdrawal of the rejections of claim 21 based on Straub are respectfully requested.

Claim 27 includes multiple tasks and links, and is patentable at least for the reasons given above for claim 21.

The Office Action rejected claim 47 alleging that FIGURE 5 and column 12, lines 4-5 of Straub show “a tile having a item link and at least one file link.” Applicant disagrees that the cited text or drawing figure discloses or suggests a tile having an item link and at least one file link. At best, the desktop icons pane might show icons that are linked to files. It certainly does not disclose or suggest a tile having both file links and item links. For at least this reason, claim 47 is clearly patentable over Straub. Reconsideration and withdrawal of the rejection of claim 47 based on Straub is respectfully requested.

The Office Action rejected claim 56 under 35 U.S.C. § 103(a) as being unpatentable over Slivka in view of Dickman. Applicants disagree that claim 56 is unpatentable over Slivka in view of Dickman. As set forth in the attached STATEMENT TO ESTABLISH COMMON OWNERSHIP, applicants submit that the current application and the patents of Slivka and Dickman were, at the time the invention of the present application was made, owned by, or subject to an obligation of assignment to the same entity. Pursuant to 35 U.S.C. § 103(c), applicants request that these references be withdrawn with respect to the rejection of claim 56.

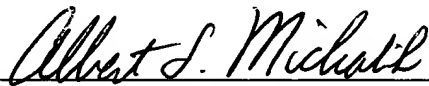
In addition, applicant likewise states that Straub was, at the time the invention of the present application was made, owned by, or subject to an obligation of assignment to the same entity as that to which the present application is assigned. Under 35 U.S.C. § 103(c), applicants request that Straub be withdrawn as a reference for all § 103 rejections, including claims 11-13, 34, and 42-45. For at least this additional reason, these claims are patentable over the prior art of record.

### CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-50, 52, 56, and 59-68 are patentable over the prior art of record, and that the application is good and proper form for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,



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2310 amendment

**STATEMENT TO ESTABLISH COMMON OWNERSHIP**

**(Regarding U.S. Patent Nos. 5,877,765, 5,905,492, and 6,061,695)**

Applicants, through the attorney of record, state that the present application and each of the above-identified references were, at the time the invention was made, owned by, or subject to an obligation of assignment to the same entity.